

PUBLIC SAFETY COMMITTEE

August 26, 2013

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Robert Peay  
Commissioner Jeff Phillips  
Commissioner Tiffany Phillips  
Commissioner Doug Shafer  
Commissioner Robert Stevens  
Commissioner Matt Young  
Commissioner Gary Farley, C

OTHERS PRESENT:

Ernest Burgess      Tharrel Kast  
Larry Farley      David Loughry  
Mike Nunley      Randy White  
Jeff Davidson      Dan Goode  
Melissa Stinson      Lynn Duke  
Robert Arnold      Laura Bohling  
Bernard Salandy      Lisa Nolen  
Becky Shelton

Chairman Farley presided and called the meeting to order at 5:30 p.m. with all members being present at that time.

MINUTES:

"Commissioner T. Phillips moved, seconded by Commissioner J. Phillips, to approve the minutes of the last meeting. This motion passed unanimously by acclamation."

EMERGENCY MANAGEMENT AGENCY REPORT:

Tharrel Kast presented the Emergency Management Agency report for the use and information of the Committee. Following discussion,

"Commissioner Shafer moved, seconded by Commissioner T. Phillips, to approve the Emergency Management Agency report as presented. This motion passed unanimously by acclamation."

CORRECTIONAL WORK CENTER REPORT:

Bernard Salandy presented the Correctional Work Center report for the use and information of the Committee. Following discussion,

"Commissioner Stevens moved, seconded by Commissioner Young, to approve the Correctional Work Center report as presented. This motion passed unanimously by acclamation."

Mr. Salandy next presented a proposed budget amendment of \$118,275 from Account #101-39000 (Unassigned Fund Balance) to Account #101-54220-399 (Other Contracted Services). The Committee was advised the amendment was needed to provide sufficient funds for the medical services contract with Dr. Rudd at the Workhouse. \$60,000 is needed for Fiscal 2013-14 for indirect costs and off-site medical. An additional \$58,274.66 was needed to settle accounts with Dr. Rudd on the medical services contract for the Workhouse for Fiscal 2012-13. Commissioner Stevens advised he wanted to revisit increasing the DUI offender fees to try to offset rising costs. The fee was recently increased from \$20 to \$30. Commissioner Stevens requested this matter be on next month's agenda. Chairman Farley asked about the indirect costs of incarceration if an offender cannot pay and Commissioner Stevens advised the Judge has the ability to waive the fee of an indigent.

Commissioners Peay and Shafer questioned the transfer of the \$60,000 now for the current fiscal year and if this could wait until March or April. Mayor Burgess advised if the amount had been known it would have already been included and \$60,000 is actually less than the amount owed of \$77,000. Dr. Rudd is cash flowing the County.

Commissioner Peay advised enough money has been appropriated to pay Dr. Rudd his increased monthly amount for a period of time. Ms. Nolen advised it needed to be budgeted for accounting principles. Following discussion,

"Commissioner Young moved, seconded by Commissioner J. Phillips, to approve the budget amendment of \$118,275 from Account #101-39000 (Unassigned Fund Balance) to Account #101-54220-399 (Other Contracted Services). This motion passed by roll call vote with Commissioners J. Phillips, T. Phillips, Stevens, Young and Farley voting "yes", Commissioner Peay voting "no" and Commissioner Shafer abstaining."

#### OSHA REPORT:

Dan Goode presented the OSHA report for the use and information of the Committee. Following discussion,

"Commissioner J. Phillips moved, seconded by Commissioner T. Phillips, to approve the OSHA report as presented. This motion passed unanimously by acclamation."

Mr. Goode next presented a copy of the recent TOSHA inspection at the landfill for the use and information of the Committee. A citizen had reported violations resulting in the inspection. Of the 15 citizen complaints, only 3 were found to be violations. However, 9 other violations were found. All violations were taken care of before the required date and no fines issued. Commissioner Young asked if the inspection information could be used by other departments to handle issues before other inspections. Ms. Stinson advised the information was being used.

The Committee was next provided revisions to the On The Job Program. The original OJI Plan was approved in 2009 with one update since. Revisions include (1) the department name from Insurance Department to Risk Management Department; (2) extending the maximum period of benefits from one year to include one year from the date of the last surgery related to the injury or illness; (3) addressed Tennessee state law change regarding cumulative trauma conditions; (4) change in personnel coverage from all law enforcement officers to certified law enforcement officers for benefits related to diseases of the heart and hypertension and (5) change in drug testing to include diluted test results and language to address BOE policy and procedures statement. The Committee was advised volunteers are covered under OJI as far as medical treatment. Commissioner Young questioned if correctional officers should be included for the high stress situations. The Committee discussed diluted drug tests and was advised the suggested language came from the BOE attorney. Following discussion,

"Commissioner Shafer moved, seconded by Commissioner J. Phillips, to forward with a positive recommendation the revised On The Job Program with inclusion of correctional officers under the heart and hypertension clause and ask the BOE attorney to attend the Commission meeting to answer questions regarding diluted drug tests. This motion passed unanimously by acclamation."

Commissioner Stevens requested documents be received in advance of meetings for review and was advised the OJI plan was in Commissioner boxes a week prior to the meeting and was on the Sharepoint site.

#### JUVENILE DETENTION REPORT:

Lynn Duke presented the Juvenile Detention report for the use and information of the Committee. Following discussion,

"Commissioner J. Phillips moved, seconded by Commissioner Peay, to approve the Juvenile Detention report as presented. This motion passed unanimously by acclamation."

Ms. Duke presented proposed Juvenile Detention Center contracts with Franklin County and Dyer County at \$175 per day. The contract with Franklin County is an update but the one with Dyer County is new. The Juvenile Detention Center currently has 25 contracts. Following discussion,

"Commissioner Young moved, seconded by Commissioner Stevens, to approve the Juvenile Detention Center contracts with Franklin County and Dyer County. This motion passed unanimously by acclamation."

DRUG COURT REPORT:

No report was presented at this time.

PAWS REPORT:

The written PAWS report was presented for the use and information of the Committee. Following discussion,

"Commissioner J. Phillips moved, seconded by Commissioner Young, to approve the PAWS report as presented. This motion passed unanimously by acclamation."

AMBULANCE SERVICE REPORT:

Mike Nunley presented the Ambulance Service report for the use and information of the Committee. The Committee asked if reserve ambulances could be noted on the report possibly by color coding. Following discussion,

"Commissioner Shafer moved, seconded by Commissioner Peay, to approve the Ambulance Service report as presented. This motion passed unanimously by acclamation."

Mr. Nunley next presented a proposed budget amendment of \$30,468 from Account #118-34730 (Assigned for Public Health & Welfare) to Account #118-55130-718 (Motor Vehicles). A check was received from the insurance company for \$15,467.59 for the value of Mr. Nunley's wrecked truck. The funds were deposited into last year's ending fund balance. An additional \$15,000 is being requested to purchase a new vehicle. Following discussion,

"Commissioner J. Phillips moved, seconded by Commissioner Young, to approve the budget amendment of \$30,468 from Account #118-34730 (Assigned for Public Health & Welfare) to Account #118-55130-718 (Motor Vehicles). This motion passed unanimously by roll call vote."

COUNTY FIRE/RESCUE REPORT:

Larry Farley presented the County Fire/Rescue report for the use and information of the Committee. Following discussion,

"Commissioner Peay moved, seconded by Commissioner J. Phillips, to approve the County Fire/Rescue report as presented. This motion passed unanimously by acclamation."

SHERIFF'S DEPARTMENT REPORT:

Robert Arnold presented the Sheriff's Department report and first presented proposed budget amendments of \$10,831 from Account #101-39000 (Undesig Funds) with \$9,000 to Account #54110-187 (OT), \$558 to Account #54110-201 (SS), \$1,142 to Account #54110-204

(Retirement) and \$131 to Account #54110-212 (MC) reallocating remaining GHSO grant funds from the 12-13 budget year not included in 13-14 year; and \$5,658 from Account #101-39000 (Undesig Funds) to Account #54110-399 (Other Contracts) reallocating remaining donated funds (Shop/Sheriff, Explorers, K9) from 12-13 budget year not included in 13-14 year. Following discussion,

"Commissioner Shafer moved, seconded by Commissioner J. Phillips, to approve the budget amendments of \$10,831 from Account #101-39000 (Undesig Funds) with \$9,000 to Account #54110-187 (OT), \$558 to Account #54110-201 (SS), \$1,142 to Account #54110-204 (Retirement) and \$131 to Account #54110-212 (MC); and \$5,658 from Account #101-39000 (Undesig Funds) to Account #54110-399 (Other Contracts). This motion passed unanimously by roll call vote."

Sheriff Arnold advised the department is starting to look at purchasing glasses with cameras for its officers.

The Committee was next presented the line item report for its use and information. Following discussion,

"Commissioner Young moved, seconded by Commissioner Peay, to approve the line item report as presented. This motion passed unanimously by acclamation."

#### NEW JUDICIAL BUILDING RECOMMENDATION:

Mayor Burgess, Lisa Nolen, Laura Bohling, David Loughry and Sheriff Robert Arnold addressed the Committee regarding a new Judicial Building. Mayor Burgess advised the information had been presented to the Property Management Committee which endorsed the concept of a new Judicial Building. It was felt wise and respectful to present an overview to the Public Safety Committee and Budget Committee.

Mayor Burgess advised a study was done in 2002 regarding future judicial needs and where to locate any facility and a study was done in 2008 on space needs, etc. The County has acquired property on Maple Street to locate a Judicial Building. A parking garage is suggested in the Clerk's Building parking lot. The current buildings would be taken down to provide for temporary parking while a parking garage is constructed. Thereafter, the Judicial Building could be built. The Committee was provided information from the 2008 report on space scenarios. A total of seven scenarios were originally presented with #4 and #7 being recommended. The driving force is the County population. It was projected Rutherford County would have 360,000 citizens in 2033. The projected population for 2013 was 250,000 and the County is currently at 271,000. The Committee was advised the numbers from 2008 are probably understated and need to be updated.

Scenario #4 is ten courts with a shelled in floor for four more courts. Scenario #7 is 12 courts and the population growth may support this scenario. There is no co-mingling of inmates with the general population in the new designs. Commissioner Young advised Property Management Committee recommended Scenario #7 with a look at safety issues. Scenario #4 for 2012 was estimated at \$50,367,847. Scenario #7 was \$55,957,040. The parking garage is estimated at \$5,240,894. The square footage cost is in excess of school construction and both proposals have a 10% contingency. This would be at least a three year project. Mayor Burgess advised this appeared to be the best and maybe only opportunity for the project to be done and pay from the current revenue stream without raising taxes. The Committee was reminded of problems with the Fire Marshall before the Juvenile Court and Clerks was moved to the new facility.

Mayor Burgess advised the old Judicial Building could be used for County offices like Building & Codes. The Bank building and Coin building need to come down potentially for green space. More

cells may be needed at the jail so there is not enough land for a Judicial Building at that location.

Ms. Bohling advised the case load has already hit the 2015 projected level and is growing faster than anticipated. Judge Loughry advised prisoners are unloaded on the open street and are walked down the hallway with the general public. Security is an issue.

Ms. Nolen provided information on the capacity to pay including BOE potential projects. It is anticipated a new high school will open in 2017 and new elementary and middle schools in 2018. Information was provided on debt service projections with both 2% and 3% growth.

Commissioner Shafer advised the County does need a plan because without one it can be Court ordered.

Commissioner Stevens wanted to know what the plans were for the old Judicial Building. Mayor Burgess advised there is no well fleshed out plan but the Goldstein's Building is dangerous and offices could be moved with the potential sale of the Goldstein's Building.

Commissioner Stevens asked if the plan could be scaled down and keep some of the courtrooms at the current Judicial Building. Mayor Burgess advised this had previously been discussed and it was felt it was best to have the Clerks and Courts together. Sheriff Arnold advised with a split system he would need more staff. Commissioner Stevens advised the current building is inadequate and this will need to be done but he wanted a more specific plan and didn't know that the Public Safety Committee needed to make a recommendation but appreciated the information. Commissioner Young advised Property Management will study the use of the old Judicial Building but has not done this work yet. Mayor Burgess advised the information was presented as a courtesy and to be respectful to have the Committee informed. Commissioner J. Phillips advised he was not comfortable endorsing the concept or to forward it on but was glad to get the information. Commissioner J. Phillips advised it was important to maintain the historic downtown area but Goldstein's is crumbling and this could solve more than one problem. Mayor Burgess advised the 2002 study showed it would be detrimental if the judicial system was moved far from the Square but one block over may actually help retail.

RESCHEDULE NOVEMBER MEETING:

Commissioner J. Phillips advised the November meeting is the week of Thanksgiving and asked if the meeting date could be changed. This will be put on next month's agenda for discussion.

There appearing to be no further business to come before the Committee, Chairman Farley declared the meeting adjourned at 7:55 p.m.

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GARY FARLEY, Chairman